

Customer No.	026418	09 / 7 1 9 1 3 6
Attorney's Docket No.:	COLLI P-30 / 500556.20006	
U.S. Application No.:	09/719,136	
International Application No.:	PCT/AU99/00448	
International Filing Date:	JUNE 09, 1999	09 JUNE 1999
Priority Date Claimed:	JUNE 11, 1998	11 JUNE 1998
Title of Invention:	TEMPERATURE CONTROL METHOD AND APPARATUS	
Applicant(s) for (DO/EO/US):	Malcolm Barry JAMES	

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☒ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 3. This express request to begin national examination procedures [35 U.S.C. 371 (f)] at any time rather than delay examination until the expiration of the applicable time limit set forth in 35 U.S.C. 371(b) and PCT Articles 22 and
- ☐ 4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
- ☐ 5. A copy of the International Application as filed [35 U.S.C. 371(c)(2)]
- a) ☐ is transmitted herewith (required only if not transmitted by the International Bureau)
- b) ☐ has been transmitted by the international Bureau
- c) ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☐ 6. A translation of the International Application into English [35 U.S.C. 371(c)(2)]
- ☐ 7. Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]
- a) ☐ are transmitted herewith (required only if not transmitted by the International Bureau)
- b) ☐ have been transmitted by the International Bureau
- c) ☐ have not been made; however, the time limit for making such amendments has **NOT** expired.
- d) ☐ have not been made and will not be made
- ☐ 8. A translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)]
- ☒ 9. An Executed Oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)]
- ☐ 10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)]

Items 11. to 16. Below concern other document(s) or information included:

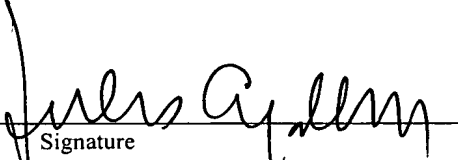
- ☐ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98
- ☐ 12. An Assignment document for recording. A separate cover sheet (PTO-1619A) in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ 13. ☐ A **FIRST** preliminary amendment
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
- ☐ 14. A **substitute specification**
- ☐ 15. A change of power of attorney and/or address letter
- ☒ 16. (other items or information) **PCT/DO/EO/905 dated February 5, 2001**

EXPRESS MAIL No.: **EL 758 525 363 US**

Deposited: **April 4, 2001**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: BOX PCT, Commissioner for Patents, Washington, DC 20231.


/Ruth Montalvo Date: **April 4, 2001**

					CALCULATIONS	PTO USE ONLY
<input type="checkbox"/> 17. The following fees are submitted: <u>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]</u>						
<input type="checkbox"/> Search Report has been prepared by the EPO or JPO..... \$ 860.00						
<input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482]..... \$ 690.00						
<input type="checkbox"/> No International preliminary examination fee paid to USPTO [37 CFR 1.482] but International search fee paid to USPTO [37 CFR 1.445(a)(2)]..... \$ 710.00						
<input type="checkbox"/> Neither International preliminary examination fee [37 CFR 1.482] nor International search fee [37 CFR 1.445(a)(2)] paid to USPTO..... \$ 1,000.00						
<input type="checkbox"/> International preliminary examination fee paid to USPTO [37 CFR 1.482] and all claims satisfied provisions of PCT Article 33(1)-(4)..... \$ 100.00						
ENTER APPROPRIATE BASIC FEE AMOUNT:						
Claims	Number Filed		Number Extra	Rate		
Total Claims		-20		x \$ 18. =		
Indep. Claims		-03		x \$ 80. =		
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)				+ \$ 270. =		
TOTAL OF ABOVE CALCULATIONS:						
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(e)]					\$130.00	
TOTAL OF ABOVE CALCULATIONS:					\$130.00	
Applicant claims Small Entity Status [See 37 CFR 1.27] Reduction by ½ for filing by small entity						
SUBTOTAL:					\$130.00	
Processing fee of \$130.00 for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date [37 CFR 1.492(f)]						
TOTAL NATIONAL FEE:					\$130.00	
Fee for recording the enclosed assignment [37 CFR 1.21(h)] The assignment must be accompanied by an appropriate cover sheet (PTO-1595) [37 CFR 3.28, 3.31]. \$ 40.00 per property +						
TOTAL FEE(S):					\$130.00	
AMOUNTS TO BE REFUNDED OR CHARGED					REFUNDED	\$
					CHARGED	\$
<input checked="" type="checkbox"/> Check in the amount of \$ 130.00 to cover the above fees is enclosed. (The Commissioner is hereby authorized to charge any additional fees required with this submission or to credit any overpayment to Deposit Account No: 50-1529.)						
NOTE: Where an appropriate time limit under 36 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: Gerald h. Kiel, Esq. (Customer No. 026418) Reed Smith LLP 375 Park Avenue New York, NY 10152						
Jules E. Goldberg Name (Tel. (212) 521-5400)		 Signature		24,408 Reg. No.		April 4, 2001 Date

#3



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/719136	JAMES M	COLLI P-30/5
INTERNATIONAL APPLICATION NO.		
PCT/AU99/00448		
I.A. FILING DATE	PRIORITY DATE	
09 JUN 99	09 JUN 98	
DATE MAILED: 05 FEB 2001		

REED SMITH LLP
375 PARK AVENUE
NEW YORK, NY 10152

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☒ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.

DOCKET

DUE March 5, 2001 *Excluded Sect*
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- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☐ Preliminary amendment(s) filed _____ and _____.
- ☒ Information Disclosure Statement(s) filed DEC 07 2000 and _____.
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed _____.
- ☐ Verified Statement Claiming Small Entity Status.
- ☐ Priority Document.
- ☒ Copy of the International Search Report ☐ and copies of the references cited therein.
- ☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$546 as a ☒ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later that the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR. 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and shown on the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

<input type="checkbox"/> PCT/DO/EO/917	<input type="checkbox"/> Notice of Defective Translation
<input type="checkbox"/> PTO-875	
FORM PCT/DO/EO/905 (December 1997)	

John L. Anderson *JLA*
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